

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

SHERI WADE)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:18-cv-00828-MHL
)	
)	
INTERWORKS UNLIMITED, INC.)	
)	
Defendants.)	
)	

MOTION FOR ENTRY OF DEFAULT

Plaintiff Sheri Wade (“Ms. Wade”), by her undersigned counsel and pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, moves for entry of default against Defendant Interworks Unlimited Inc. (“Interworks”). In support of her Motion, Ms. Wade respectfully states as follows:

1. Ms. Wade filed her Complaint against Interworks on November 30, 2018, seeking judgment for its violation of the Virginia Consumer Protection Act and breach of express warranties (ECF No. 1).

2. On January 8, 2019, Defendant was served with a copy of the Summons and Complaint via service on the Secretary of the Commonwealth in accordance with Va. Code Ann. § 8.01-329 and Rule 4(h)(1)(A) of the Federal Rules of Civil Procedure (ECF No. 4). This Court’s docket entry provided that Interworks answer was due on or before February 12, 2019. (ECF No. 4)

3. A copy of the complaint was mailed to Eric H. Lu, registered agent for Interworks, on January 17, 2019 (ECF No. 4). Certification of this mailing is contained on the

Affidavit of Service completed by the designee for the Secretary of the Commonwealth as docketed with this Court on page 2 of ECF No. 4.

4. To date, Interworks has not filed an appearance or an answer. See Halperin Aff. (Ex. A) ¶ 6.

5. Interworks is not a minor, incompetent person, or in the active duty military service as it is a business entity. See id. ¶ 7.

6. Accordingly, a default should be entered against the defendant pursuant to Federal Rule of Civil Procedure 55(a).

WHEREFORE, Ms. Wade requests that this Court enter default against Interworks, and award her any other relief that this Court deems necessary and appropriate.

Respectfully submitted,
SHERI WADE

By: _____ /s/
Counsel

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2019, I sent the foregoing Motion for Entry of Default by Certified First Class Mail to:

Interworks Unlimited, Inc.
Eric H. Lu – Registered Agent
2418 Peck Road
City of Industry, CA 90601
Registered Agent for Defendant

/s/

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